

REMARKS/ARGUMENTS

The present communication is responsive to the Official Action mailed March 15, 2006, finally rejecting all the claims presently pending in the application ("Final Rejection"). A two-month extension of the time to respond, up to and including August 15, 2006 is filed concurrently herewith.

Amendments To The Claims

Claim 1 has been amended to now recite "providing a register in the electronic device, the register having a write area and a read area for setting of codes of functions representing different types of devices and to be executed by the electronic device."

Claim 6 has been amended to now recite "a register for setting codes that functions to be executed by the electronic device and representing different types of devices."

Claim 11 has been amended to now recite "a register for performing setting up category numbers of functions to be executed by the electronic device and representing different types of devices."

Claim 16 has been amended to now recite "the codes representing functions associated with different types of devices."

Applicant respectfully submits that support for the foregoing amendments to the claims may be found by reference to, for example, paragraphs [0037] and [0038] of the specification. As is discussed in greater detail below, these paragraphs make it clear that different category numbers may be used to represent the functions of different devices. For example, category '00' may represent the function of a memory. In contrast, category '01' may represent the function of an information device. Other category numbers may represent the

function of a LAN connecting device or, in general, a communication device. Applicant therefore respectfully submits that the foregoing amendments to the claims do not constitute the addition of new matter to the specification.

Reply to Examiner's Response

Although in responding to applicant's previous arguments, the Examiner remarked that those arguments are now moot in view of the new grounds of rejections, applicant respectfully believes it is necessary to address some of the Examiner's comments made in his response.

In particular, applicant agrees with the Examiner that the main unit recognizes the function to be executed in the electronic device or IC card. (Final Rejection 2.) Applicant disagrees, however, that "The main unit recognizes the function based on whether the function is executed or not executed." (*Id.* (Emphasis added.)) Rather, applicant respectfully submits that the main unit recognizes the function based on whether the code of the function is written in the write register at address 06 and read in the read register at address 06. Further, if the main unit recognizes that a desired function is not installed in the electronic device based on these registers, execution of the function never occurs. Instead, execution is canceled.

In particular, the claimed invention is generally directed to "the inability of the main unit to recognize a function to be executed by the electronic device." (Specification, paragraph [0005] (Emphasis added.)) As is further explained in the background, if the main unit does not recognize a function to be executed by the electronic device or request a function not installed in the electronic device, the main unit may fail. (*Id.*, paragraph [0004] (Emphasis added.)) In some instances, this may require a complicated procedure to

restore the main unit to its original state. (*Id.*)

To address this problem, the memory register 21 in the electronic device 200 is provided with a write area and a read area. (Specification, paragraph [0023].) "Information in the electronic device 200 is read into the read register, whereas information from the main unit 100 is written in the write register." (*Id.*)

When the main unit 100 desires to change a function to be executed by the electronic device, the code of the desired function is written in the write register at the address 06. (Specification, paragraph [0028].) In this way, the function requested by the main unit 100 is detected by the electronic device 200. (*Id.*) "The code (category number) of the function to be executed by the electronic device 200 is read in the read register at the address '06'." (*Id.*, paragraph [0030] (Emphasis added.)) Based on the code in read register, the main unit "therefore recognizes the function to be executed by the electronic device 200.") (*Id.*)

On other hand, "Specifically, when the function written by the main unit 100 in the write register at the address '06' is not installed in the electronic device 200, the code (category number) of the function is not read in the read register at the address '06'. Thus, the main unit 100 recognizes that the desired function is not installed in the electronic device 200." (Specification, paragraph [0032].) Therefore, if the main unit recognizes that the desired function is not installed, it can "cancel[] the execution of the function." (*Id.*) In view of the foregoing, where the main unit does not recognize the function because it is not installed in the electronic device and no execution occurred.

Therefore, the main unit does not recognize the function "based on whether the function is executed or not" as asserted by the Examiner. Instead, the opposite is true. That

is, whether execution occurs depends on whether the main unit recognizes the function. (*Id.*, paragraphs [0050]-[0051].) In that regard, if the claimed invention operated as the Examiner suggests, it would not address the problem it was directed to as described in the background of the invention. To be clear, unrecognized and uninstalled functions would execute causing the main unit to "go down." (Specification, paragraph [0004].)

Thus, for at least this reason, applicant disagrees with the Examiner that the main unit as claimed controls processing in the same way that the main unit of *Richards* does. (Final Rejection 2.) Indeed, *Richards'* main unit does not operate as the claimed invention and is beset by the problems the claimed invention is intended to solve. Therefore, applicant respectfully submits that *Richards'* main unit does not operate in the same way as the main unit of the claims. Thus, the claimed invention is distinguishable over *Richards*.

Claim Rejections - 35 U.S.C. §112

The Examiner rejected all the claims pending in the application under 35 U.S.C. §112, ¶1, for failing to comply with the enablement requirement. (Final Rejection 2.) In particular, the Examiner states that "there is nothing in the specification that teaches associating a function with a 'type of device.'" (*Id.* at 3.)

The Examiner also rejected the claims 35 U.S.C. §112, ¶2, as being indefinite for failing to particularly point out, and distinctly claim, the subject matter which applicant regards as the invention. (*Id.* at 4.) In particular, the Examiner commented that with regard to claims 1, 6 and 11 "it is unclear how the phrase 'different types of devices' is being defined as because it is not defined in the specification." (*Id.*)

FIG. 4 shows an example of how the category number at address location 06 and a class number at address location 07

may be used to represent the functions of a memory device, information device, LAN connecting device, a communication device, and a blue tooth device. "Specifically, referring to Fig. 4, the category number '00' represents the function of a memory. In this case, the class number only has the value '00'." (Specification, paragraph [0037].) In addition:

[0038] In contrast, a new category number "01" represents the function of an information device. A category number "02" represents the function of a LAN (Ethernet) connecting device or the like. A category number "03" represents the function of a communication device. A category number "04" represents the function of a communication device (Bluetooth) which is defined by manufacturers in Japan, the United States, and Europe as a common standard. To each of these functions, a class number from the value "01" onward is assigned.

Thus, different category numbers may be used to represent the functions of different devices. The specification is clear. In this way, different main units or different types of devices may recognize whether or not the functions they support are loaded onto the electronic device or IC card.

In order to have the language of the claims more closely track the language of the specification, applicant has amended each of the independent claims as indicated above. As discussed above in relation to paragraphs [0050] and [0051], different types of main units or apparatus can recognize in advance whether or not the functions they require for operation are installed in the electronic device. Therefore, it is possible to prevent unnecessary operations and malfunctions such as the execution of an unexecutable function.

Claim Rejections - 35 U.S.C. §103

The Examiner rejected claims 16 and 17 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patents

6,164,549 to Richards ("Richards") in further view of 6,213,392 to Zuppich ("Zuppich"). Claims 1-7 and 10-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Richards* and further in view of *Zuppich* and U.S. Patent 6,901,299 to Whitehead, et al. ("Whitehead"). (*Id.* at 6.)

In rejecting claim 16, the Examiner asserts that *Zuppich* teaches a main unit that reads a data string from an IC card and compares this data string to one stored on the main unit to identify the card application. The Examiner further asserts that "It is explicit that the codes represent functions, and inherent that these functions are associated with different devices, or there would be no need to check for them." (Final Rejection 5.) Therefore, the Examiner concludes that it would have been obvious to combine *Richards* with *Zuppich* in order to identify the limitations of the card with respect to the requested reader functions.

In rejecting claims 1, 6 and 11, the Examiner makes the identical statements with respect to his rejection of claim 16. In addition, the Examiner further states that "However, neither *Richards* nor *Zuppich* teach the association of different types of devices, unless we consider the devices to be different types because of different loaded functions. *Whitehead* teaches it was well known in the art at the time of invention to associate functions with the type of device (column 19, lines 21-53)." (8.7.) Thus, with respect to claims 1, 6 and 11 the Examiner concludes that it would have been obvious to use the function and device type association of *Whitehead* in combination with the functions of *Richards* and *Zuppich* to ease the loading of function by using control registered function code groups.

In this regard, it is unclear why the Examiner believes that claim 16 is obvious over only the combination of *Richards* and *Zuppich* while claims 1, 6 and 11 require

Whitehead as an additional reference. In any event, applicant has amended claim 16 as indicated above to now recite "the codes representing functions associated with different types of devices." Thus, the language of claim 16 is more consistent with the language of claims 1, 6 and 11.

With regard to the substance of the Examiner's rejections, applicant respectfully submits that Whitehead does not teach or suggest an electronic device that includes a register which includes "codes of functions representing different types of devices," as is recited, for example, in claim 1. In particular, the portion of Whitehead to which the Examiner refers is discussing the component subsystems of a server. (Whitehead, Col. 19, ll.21-25; Col. 8, ll.43-46.) There is no mention in this portion of Whitehead of an electronic device such as an IC card, much less a card that includes registers with different codes that represents different types of main units.

As explained above, the claimed invention is directed to avoiding the problem of having a main unit recognize the functions that are supported on the IC card before performing or attempting to execute such functions. This is intended to prevent unnecessary operations and malfunctions from occurring on the main unit. Further, as is shown in FIG. 4 of the specification, the electronic device includes different code numbers that represent function associated with, for example, a memory device, an information device or a LAN connecting device. These are the different devices to which the claim refers.

Further, "the electronic device 200 may include other functions such as a camera function, a display function, a global positioning system (GPS) function and a serial communication function." (Specification, paragraph [0039].) Thus, if the main unit writes a code function that represents a GPS device, it waits for the electronic device to confirm that

that function is loaded in the register 21. If the read area of the register 21 does not include the appropriate matching code, then the main unit won't try to execute that function. (*Id.*, paragraph [0051].) Neither *Richards*, *Zuppich* nor *Whitehead* teach or suggest this feature of the claimed invention. This feature is only recited in and captured by the claimed combination.

In particular, claim 1 recites "providing a register in the electronic device, the register having a write area and a read area for setting of codes of functions representing different types of devices and to be executed by the electronic device."

Claim 6 recites "a register for setting codes or functions to be executed by the electronic device and representing different types of devices."

Claim 11 recites "the electronic device comprising a register for performing setting of category numbers of functions to be executed by the electronic device and representing different types of devices."

Claim 16 similarly recites "the codes representing functions associated with different types of devices."

None of the references relied on by Examiner disclose this feature. In particular, as acknowledged by the Examiner "neither *Richards* nor *Zuppich* teach the association of different types of devices, unless we consider the devices to be different types because of different loaded functions." In addition, applicant respectfully submits that neither *Zuppich* nor *Richards* teach or suggest storing codes on the IC card that represent functions associated with different types of main units or apparatus. *Whitehead* does not make up for the deficiencies in those references. Therefore, applicant respectfully submits that claims 1, 6, 11 and 16 are not rendered obvious over the combination of *Richards*, *Zuppich* and

Whitehead for at least the foregoing reasons. As all the other claims pending in the application depend from one of the independent claims, those claims are also not rendered obvious for at least the foregoing reasons.

* * *

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 8, 2006

Respectfully submitted,

By

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